

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ANTHONY ADAMITIS

Plaintiff,

v.

BOROUGH OF DICKSON CITY, *et al.*,

Defendants.

NO. 3:16-CV-00497

(JUDGE CAPUTO)

ORDER

NOW, this 19th day of June, 2017, **IT IS HEREBY ORDERED** that:

- (1) Defendants Borough of Dickson City, Rick Cesar, Michael Fedorka, Robert Hall, Jack Horvath, Jeffrey Kovalski, Rose Louryk, and Barbara Mecca's Motion to Dismiss (Doc. 11) Plaintiff's Amended Complaint (Doc. 10) is **GRANTED** in that:
 - (a) Count I, alleging "politically motivated harm," is **DISMISSED without prejudice**.
 - (b) Count II, alleging retaliation, is **DISMISSED without prejudice**.
 - (c) Count III, challenging a local compensation ordinance on state tax law grounds, is **DISMISSED without prejudice**.
- (2) Plaintiff has **twenty-one (21) days** from the date of entry of this Order to file a Second Amended Complaint to properly plead his retaliation claims (Counts I & II); otherwise, the claims will be **dismissed with prejudice**.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge